

Annual Town Meeting, Monday, April 27, 2009

ARTICLE 1 The Town **VOTED** to receive the reports of the Town Officers and Committees and to correct the cover page of the Annual Report.

PASSED BY MAJORITY

ARTICLE 2 The Town **VOTED** to establish the salaries and compensation of all elected Town Officers for fiscal year 2010 and raise and appropriate \$64,330 from the FY 2010 tax levy to pay the same.

Selectmen	\$ 3,417	(Chairman \$1,229, 2 members \$1,094)
Assessors	\$ 3,687	(Chairman \$1,363, 2 members \$1,162)
Public Works	\$ 2,180	(Chairman \$816, 2 members \$682)
Planning Board	\$ 1,120	(Chairman \$320, 4 members \$200)
Board of Health	\$ 1,460	
Town Clerk	\$52,374	
Moderator	\$ 92	
	\$64,330	

PASSED BY MAJORITY

ARTICLE 3 The Town **VOTED** to amend the salary schedule for all part-time and full-time employees under the Personnel Bylaw Schedule E to match those covered by the collective bargaining agreements and to amend Schedule B - Technical Group as follows:

1. FY 2010 Cost of Living Adjustment (COLA) equal to that received by collective bargaining units – 2% at July 1, 2009, additional 2% at January 1, 2010, as more particularly set out below:

TOWN OF MARSHFIELD				
SALARY SCHEDULE				
PERSONNEL BYLAW				
FY2010 CONTRACT 2%				
		7/1 /2009		
GRADE	STEP 1	STEP 2	STEP 3	STEP 4
4	\$25,714	\$26,741	\$27,809	\$28,920
5	\$28,365	\$29,497	\$30,678	\$31,896
6	\$31,290	\$32,539	\$33,844	\$35,198
7	\$34,514	\$35,889	\$37,331	\$38,821
8	\$38,062	\$39,592	\$41,171	\$42,816
9	\$42,816	\$43,666	\$45,410	\$47,233
10	\$46,324	\$48,170	\$50,101	\$52,099
11	\$51,095	\$53,137	\$55,253	\$57,467
12	\$56,362	\$58,610	\$60,951	\$63,397
13	\$62,001	\$64,468	\$67,047	\$69,738
14	\$67,944	\$70,660	\$73,480	\$76,416
15	\$74,735	\$77,723	\$80,829	\$84,059

	TOWN OF MARSHFIELD			
	SALARY SCHEDULE			
	PERSONNEL BYLAW			
	FY2010 CONTRACT 2%			
		1/1 /2010		
GRADE	STEP 1	STEP 2	STEP 3	STEP 4
4	\$26,229	\$27,276	\$28,365	\$29,498
5	\$28,933	\$30,087	\$31,292	\$32,534
6	\$31,915	\$33,190	\$34,520	\$35,902
7	\$35,205	\$36,607	\$38,077	\$39,597
8	\$38,824	\$40,383	\$41,994	\$43,673
9	\$43,673	\$44,540	\$46,318	\$48,178
10	\$47,250	\$49,133	\$51,103	\$53,141
11	\$52,117	\$54,200	\$56,358	\$58,616
12	\$57,489	\$59,782	\$62,170	\$64,665
13	\$63,241	\$65,757	\$68,388	\$71,133
14	\$69,303	\$72,074	\$74,950	\$77,944
15	\$76,230	\$79,278	\$82,445	\$85,740

2. Add to Schedule B – Technical Group

Wiring Inspector Grade 8; Plumbing Inspector Grade 8

PASSED BY MAJORITY

ARTICLE 4 The Town **VOTED** to transfer \$450,000 from Sewer Enterprise Retained Earnings, \$1,015,000 from Water Enterprise Retained Earnings, and to further authorize the Treasurer with approval of the Board of Selectmen to borrow \$2,136,000 under Massachusetts General Laws, Chapter 44, Section 7 for the following General, Water and Sewer Fund purposes.

FISCAL YEAR 2010 RECOMMENDATIONS

PROJECT/PROGRAM	FY10 Request	CBC Recomdtn	Funding Source
Bituminous Paving - EW, GW	\$372,320	\$75,000	Borrowing Ch 44 § 7
Classroom Furniture & Equipment - All schools	\$50,000	\$50,000	Borrowing Ch 44 § 7
SCHOOL DEPARTMENT SUB TOTAL	\$422,320	\$125,000	
Replacement of 1995 Chevy Blazer - 170K miles	\$25,000	\$25,000	Borrowing Ch 44 § 7
BUILDING DEPARTMENT SUB TOTAL	\$25,000	\$25,000	
Replace Station 1 - Ocean Bluff	\$1,400,000	\$0	
Replace Car C-2 (1999 Ford Crown Victoria sedan-78K miles)	\$32,000	\$32,000	Borrowing Ch 44 § 7
Replace Car C-1 (2002 Chevrolet Tahoe-99K miles)	\$38,500	\$0	
Refurbish Station 3 - 60 South River St	\$300,000	\$0	
Refurbish Engine 1 - 1999 KME	\$70,000	\$0	
Replace Paramedic Ambulance-(2004 Ford F-450 - 108K miles)	\$185,000	\$185,000	Borrowing Ch 44 § 7
FIRE DEPARTMENT SUB TOTAL	\$2,025,500	\$217,000	
Vehicle Replacement - #114 (1997 skate truck - 110K miles)	\$85,000	\$0	
Vehicle Replacement - #117 (1995 pick-up - 160K miles)	\$38,000	\$38,000	Borrowing Ch 44 § 7
DPW - CEMETERY SUB TOTAL	\$123,000	\$38,000	
Seawalls and Riprap	\$1,000,000	\$250,000	Borrowing Ch 44 § 7
Rexhame (Fieldston) Drainage Improvement	\$160,000	\$0	
State Mandated Dam Inspections	\$50,000	\$0	
Summer Street Drainage	\$475,000	\$100,000	Borrowing Ch 44 § 7
Brant Rock Esplanade - Phase 2 / 3	\$150,000	\$0	
DPW - ENGINEERING SUB TOTAL	\$1,835,000	\$350,000	

PROJECT/PROGRAM	FY10 Request	CBC Recomdtn	Funding Source
Road Reconstruction	\$700,000	\$250,000	Borrowing Ch 44 § 7
Grading Private Dirt Roads	\$30,000	\$0	
Emergency Repairs to Private Ways	\$35,000	\$0	
Street Sign Replacement Program	\$75,000	\$0	
Equipment Replacement #193 - (1997 Bobcat - 1400 op hrs)	\$85,000	\$0	
Vehicle #35 Replacement (Rack Body DumpTruck - 103K miles)	\$68,000	\$68,000	Borrowing Ch 44 § 7
Vehicle #37 Replacement (Pick-up Truck - 176K miles)	\$38,000	\$38,000	Borrowing Ch 44 § 7
Vehicle #155 Replacement (1995 Pick-up Truck - 162K miles)	\$38,000	\$0	
Vehicle #189 Replacement (Pick-up Truck - 150K miles)	\$38,000	\$0	
DPW - HIGHWAY SUB TOTAL	\$1,107,000	\$356,000	
Integration Software Applications	\$110,000	\$0	
INFORMATION TECHNOLOGY SUB TOTAL	\$110,000	\$0	
Construction of Harbormaster Building	\$1,850,000	\$0	
HARBORMASTER SUB TOTAL	\$1,850,000	\$0	
Replacement of vehicle-4x4 Crossover (1996 w/ 45K miles)	\$25,000	\$25,000	Borrowing Ch 44 § 7
HEALTH DEPARTMENT SUB TOTAL	\$25,000	\$25,000	
GRAND TOTAL GENERAL FUND	\$7,522,820	\$1,136,000	
Paving Repairs & Additional Parking	\$50,000	\$0	
Vehicle Replacement - #156 (1995 dump truck - 20K miles)	\$150,000	\$0	
Vehicle Replacement - #158 (Utility truck - 130K miles)	\$90,000	\$0	
Wastewater Treatment Plant Building Modifications	\$780,000	\$300,000	Retained Earnings
Collection System and Pipeline Repairs	\$150,000	\$150,000	Retained Earnings
TOTAL WASTEWATER ENTERPRISE FUND	\$1,220,000	\$450,000	
Well Cleaning and Pump Station Rehab	\$40,000	\$40,000	Retained Earnings
VFD Installs - Parco Removals	\$27,000	\$27,000	Retained Earnings
Water Main Upgrades	\$120,000	\$120,000	Retained Earnings
Highland Street Water Main Replacement	\$925,000	\$0	
Pine Street Water Main Replacement	\$1,450,000	\$1,450,000	\$1,000,000 Borrowing Ch 44 § 8; \$450,000 Retained Earnings
Vehicle #123 replacement - (1999 heated bed dump truck - 111K miles)	\$150,000	\$150,000	Retained Earnings
Vehicle #192 replacement (SUV type to replace car with 178K miles)	\$45,000	\$32,000	Retained Earnings
Land Purchase - Future Well Sites and Wellhead Protection	\$600,000	\$0	
Residential Metering Conversion to Radio Read	\$195,860	\$196,000	Retained Earnings
TOTAL WATER ENTERPRISE FUND	\$3,552,860	\$2,015,000	
GRAND TOTAL - ALL FUNDS	\$12,295,680	\$3,601,000	

Funding Source Summary

Wastewater (Sewer) Enterprise Fund Retained Earnings	\$450,000
Water Enterprise Retained Earnings	\$1,015,000
Borrowing - Water Enterprise Fund projects (debt service from user charges)	\$1,000,000
Borrowing - General Fund projects (debt service from taxation)	\$1,136,000

TOTAL RECOMMENDED	3,601,000.00
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PASSED BY 2/3 VOTE

ARTICLE 5 The Town **VOTED** to transfer \$368,473 into the Stabilization Fund.

PASSED BY 2/3 VOTE

ARTICLE 6 The Town **VOTED** to raise and appropriate \$71,184,992 and to meet said appropriation raise \$70,156,992 from the FY2010 tax levy, transfer \$35,000 from Cemetery Perpetual Care Interest, \$47,000 from Licensing & Keeping of Dogs, \$26,000 from Wetland Protection Fund, \$20,000 from Waterway Improvement Fund and \$900,000 from Free Cash to defray Town expenses, debts and other charges from July 1, 2009 to June 30, 2010.

	FY08 Expended	FY 09 Budget	FY10 Adv Board
Dept 122-SELECTMEN			
Salaries	\$176,499	\$225,117	\$253,819
Expense	\$218,211	\$237,000	\$212,000
Total	\$394,710	\$462,117	\$465,819
Dept 132-RESERVE FUND			
Expense	\$99,722	\$100,000	\$100,000
Total	\$99,722	\$100,000	\$100,000
Dept 135-TOWN ACCOUNTANT			
Salaries	\$123,654	\$159,751	\$164,875
Expense	\$2,364	\$4,550	\$4,550
Total	\$126,018	\$164,301	\$169,425
Dept 141-ASSESSORS			
Salaries	\$183,572	\$190,404	\$205,590
Expense	\$66,990	\$71,500	\$59,300
Total	\$250,562	\$261,904	\$264,890
Dept 145-TREASURER/COLLECTOR			
Salaries	\$323,628	\$327,876	\$344,245
Expense	\$41,395	\$41,800	\$33,500
Total	\$365,023	\$369,676	\$377,745

	FY08 Expended	FY 09 Budget	FY10 Adv Board
Dept 149-ANNUAL AUDIT			
Expense	\$39,500	\$50,000	\$50,000
Total	\$39,500	\$50,000	\$50,000
Dept 151-LEGAL			
Expense	\$266,691	\$170,000	\$170,000
Total	\$266,691	\$170,000	\$170,000
Dept 155-INFO TECHNOLOGY			
Salaries	\$71,656	\$100,618	\$111,954
Expense	\$150,050	\$167,446	\$161,189
Total	\$221,706	\$268,064	\$273,143
Dept 161-TOWN CLERK			
Salaries	\$50,941	\$51,594	\$51,084
Expense	\$3,647	\$4,110	\$4,110
Total	\$54,588	\$55,704	\$55,194
Dept 162-ELECTIONS/REGISTRATION			
Expense	\$40,175	\$59,175	\$33,175
Total	\$40,175	\$59,175	\$33,175
Dept 171-CONSERVATION			
Salaries	\$90,763	\$91,914	\$97,834
Expense	\$2,244	\$12,719	\$9,555
Total	\$93,007	\$104,633	\$107,389
Dept 175-PLANNING BOARD			
Salaries	\$108,555	\$108,570	\$116,886
Expense	\$2,108	\$2,568	\$1,448
Total	\$110,663	\$111,138	\$118,334
Dept 176-ZONING BOARD OF APPEALS			
Salaries	\$24,884	\$25,808	\$27,286
Expense	\$1,564	\$2,200	\$2,000
Total	\$26,448	\$28,008	\$29,286
Dept 210-POLICE			
Salaries	\$3,339,611	\$3,320,097	\$3,411,084
Expense	\$187,043	\$184,875	\$207,875
Total	\$3,526,655	\$3,504,972	\$3,618,959

	FY08 Expended	FY 09 Budget	FY10 Adv Board
Dept 220-FIRE			
Salaries	\$3,726,435	\$3,848,796	\$4,010,389
Expense	\$237,537	\$242,100	\$242,100
Total	\$3,963,972	\$4,090,896	\$4,252,489
Dept 241-BUILDING INSPECTION			
Salaries	\$222,942	\$222,767	\$228,805
Expense	\$6,156	\$8,731	\$8,731
Total	\$229,098	\$231,498	\$237,536
Dept 244-SEALER WEIGHTS & MEASURES			
Expense	\$5,000	\$5,000	\$5,000
Total	\$5,000	\$5,000	\$5,000
Dept 292-ANIMAL CONTROL			
Salaries	\$53,218	\$53,280	\$44,909
Expense	\$10,211	\$10,750	\$10,750
Total	\$63,429	\$64,030	\$55,659
Dept 293-ANIMAL INSPECTOR			
Salaries	\$1,650	\$1,800	\$1,800
Expense	\$0	\$1,000	\$0
Total	\$1,650	\$2,800	\$1,800
Dept 295-HARBORMASTER			
Salaries	\$91,869	\$93,000	\$93,000
Expense	\$63,393	\$45,500	\$50,500
Total	\$155,262	\$138,500	\$143,500
Dept 300-EDUCATION			
Total	\$39,049,020	\$40,479,789	\$40,193,232
Dept 401-DPW			
Salaries	\$1,574,076	\$1,523,752	\$1,602,889
Expense	\$520,354	\$595,000	\$590,550
Total	\$2,094,431	\$2,118,752	\$2,193,439
Dept 423-SNOW AND ICE CONTROL			
Expense	\$430,366	\$350,000	\$350,000
Total	\$430,366	\$350,000	\$350,000
Dept 424-AUTOMOTIVE FUEL			
Expense	\$413,391	\$450,000	\$413,300
Total	\$413,391	\$450,000	\$413,300

	FY08 Expended	FY 09 Budget	FY10 Adv Board
Dept 510-HEALTH			
Salaries	\$168,576	\$171,438	\$183,420
Expense	\$24,015	\$27,487	\$24,439
Total	\$192,592	\$198,925	\$207,859
Dept 541-COUNCIL ON AGING			
Salaries	\$145,422	\$152,397	\$169,227
Expense	\$50,635	\$44,210	\$35,829
Total	\$196,057	\$196,607	\$205,056
Dept 543-VETERANS			
Salaries	\$57,635	\$63,749	\$66,957
Expense	\$348,597	\$326,386	\$374,344
Total	\$406,232	\$390,135	\$441,301
Dept 610-LIBRARY			
Salaries	\$498,950	\$499,083	\$499,746
Expense	\$162,350	\$143,574	\$152,325
Total	\$661,300	\$642,657	\$652,071
Dept 630-RECREATION			
Salaries	\$60,149	\$60,249	\$64,297
Expense	\$3,723	\$6,000	\$3,000
Total	\$63,872	\$66,249	\$67,297
Dept 660-TRUSTEES OF VET MEMORIALS			
Expense	\$9,575	\$9,580	\$9,580
Total	\$9,575	\$9,580	\$9,580
Dept 691-HISTORICAL COMMISSION			
Expense	\$1,878	\$3,780	\$3,780
Total	\$1,878	\$3,780	\$3,780
Dept 693-CLAM FLATS			
Salaries	\$1,550	\$4,000	\$2,000
Expense	\$550	\$550	\$1,000
Total	\$2,100	\$4,550	\$3,000
Dept 705-715 DEBT SERVICE			
Expense	\$5,087,365	\$5,064,888	\$5,071,618
Total	\$5,087,365	\$5,064,888	\$5,071,618
Dept 910-GENERAL INSURANCE			
Expense	\$916,566	\$943,790	\$808,338
Total	\$916,566	\$943,790	\$808,338

	FY08 Expended	FY 09 Budget	FY10 Adv Board
Dept 911-RETIREMENT			
Expense	\$3,059,026	\$3,193,116	\$3,298,846
Total	\$3,059,026	\$3,193,116	\$3,298,846
Dept 912-EMPLOYEE BENEFITS			
Expense	\$4,477,269	\$4,932,590	\$5,028,718
Total	\$4,477,269	\$4,932,590	\$5,028,718
Dept 913-UNEMPLOYMENT			
Expense	\$65,051	\$100,000	\$500,000
Total	\$6,501	\$100,000	\$500,000
Dept 914-MEDICARE			
Expense	\$541,025	\$700,000	\$700,000
Total	\$541,025	\$700,000	\$700,000
Dept 940-UNCLASSIFIED			
Salaries	\$711	\$2,000	\$1,000
Expense	\$31,084	\$51,100	\$35,050
Total	\$31,796	\$53,100	\$36,050
Dept 942-UTILITIES			
Expense	\$460,115	\$670,000	\$472,164
Total	\$460,115	\$670,000	\$472,164
TOWN SALARY COLA-FY09			
Salaries	\$0	\$511,309	\$0
Total	\$0	\$511,309	\$0
GRAND TOTAL	\$68,134,355	\$71,322,233	\$71,184,992

PASSED BY MAJORITY

ARTICLE 7 The Town **VOTED** to establish revolving funds for certain Town Departments under Massachusetts General Law, Chapter 44, Section 53E1/2 for the fiscal year beginning July 1, 2009, with the specific receipts credited to each fund the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year as follows:

<u>Authorized to Spend</u>	<u>Revolving Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>FY 2010 Spending Limit</u>
Beach Commission	Beaches	Fees charged for beach stickers, parking at public beach lots and snack bar operations.	Part-time salaries, supplies, other charges and expenses of the beach operations.	\$180,000

DPW	Playing Field Rentals	Fees charged for rental of playing fields.	Part-time salaries, supplies, other charges and expenses of the playing field operations.	\$50,000
DPW	Recycling Composting Program	Fees charged for the sale and recycling of composting equipment.	Recycling and composting equipment and educational materials.	\$10,000
School Committee	High School Graphic Arts Program	Fees charged for the graphic arts program.	Part-time staff, supplies and equipment for the program.	\$40,000
School Committee	High School Restaurant Program	Fees charged for the restaurant program.	Part-time staff, supplies and equipment for the program.	\$35,000
School Committee	Boat Building Program	Fees charged for the activities of the boat building program.	Part-time staff, supplies and equipment for the program.	\$8,000
School Committee	Integrated Pre-school Program	Fees charged for the activities of the integrated pre-school program.	Part-time staff, supplies and equipment for the program.	\$125,000
School Committee	Community Education Program Fund	Fees charged for summer school and adult education.	Services of the continuing education program staff, supplies and equipment.	\$50,000
School Committee	Driver Education Program Fund	Fees charged for Driver education program.	Driver education staff, supplies, and equipment.	\$90,000
School Committee	Student Parking Fund	Fees charged to students for parking.	Expenses associated with school parking lot maintenance and monitoring.	\$35,000
			TOTAL OF ALL FUNDS	\$623,000

PASSED BY MAJORITY

ARTICLE 8 The Town **VOTED** to appropriate \$10,000 and to fund such appropriation transfer \$10,000 from Article 2 of the April 2008 STM – Contractual Salary Settlement for the operation and maintenance of the

industrial/hazardous waste facility associated with the Marshfield School System, said facility to be maintained and operated in compliance with all federal, state and town bylaws and regulations.

PASSED BY MAJORITY

ARTICLE 9 The Town **VOTED** to raise and appropriate the sum of \$20,000 and to fund such appropriation transfer \$659 from Article 2 of the April 2008 STM – Contractual Salary Settlement ; transfer \$3,000 from Article 8, STM 10/2006 GASB 45 Actuarial Study and raise \$16,341 from FY2010 tax levy to be used to pay employees amounts to which they are entitled under applicable collective bargaining agreements or personnel bylaws, for unused sick leave.

PASSED BY MAJORITY

ARTICLE 10 The Town **VOTED** to amend Article 72 Section IV Smoking Prohibited of the General Bylaws as follows: **(amendments in bold print)**

Section IV. SMOKING PROHIBITED

No person shall smoke nor shall any person, employer, or other person having control of the premises upon which smoking is prohibited by this regulation, or the agent or designee of such person, permit a person to smoke in any of the following places as defined herein: health care facilities, enclosed public places, **and within 25 feet of any enclosed public building**, public transportation, restaurants, retail stores, **Town property, Town vehicles** and work places except as otherwise provided in Section V of this bylaw.

PASSED BY MAJORITY

ARTICLE 11 The Town **VOTED** to transfer \$10,000 from Article 8, STM 10/2006 GASB 45 Actuarial Study, to the Other Post Employment Benefits Liability Trust Fund as established at the April 2009 Special Town Meeting.

PASSED BY MAJORITY

ARTICLE 12 The Town **VOTED** to appropriate \$2,524,629 to defray Wastewater direct costs and transfer \$418,317 of Wastewater indirect costs to the General Fund, by raising \$2,742,946 of Wastewater Receipts and using \$200,000 of Wastewater Retained Earnings to fund the total costs of the Wastewater (Sewer) Enterprise Fund as follows:

Wastewater	Fiscal 2009 Budget	Fiscal 2010 Budget
Salaries	\$778,465	\$876,314
Expenses	\$1,056,000	\$1,003,950
Emergency Reserve	\$100,000	\$100,000
Debt Service	\$676,280	\$544,365
Appropriated for Direct Cost	\$2,610,745	\$2,524,629
Indirect Costs	\$505,867	\$418,317
Total Cost Wastewater	\$3,116,612	\$2,942,946

PASSED BY MAJORITY

ARTICLE 13 The Town **VOTED** to appropriate \$2,616,944 to defray Water direct costs and transfer \$577,913 of Water indirect costs to the General Fund, by raising \$2,694,857 of Water Receipts and using \$500,000 of Water Retained Earnings to fund the total costs of the Water Enterprise Fund as follows:

Water	Fiscal 2009 Budget	Fiscal 2010 Budget
Salaries	\$1,004,237	\$1,045,994
Expenses	\$858,200	\$848,550
Emergency Reserve	\$100,000	\$100,000
Debt Service	\$473,410	\$622,400
Appropriated for Direct Cost	\$2,435,847	\$2,616,944
Indirect Costs	\$738,614	\$577,913
Total Cost Water	\$3,174,461	\$3,194,857

PASSED BY MAJORITY

ARTICLE 14 The Town **VOTED** to appropriate \$3,012,684 to defray Solid Waste direct cost and transfer \$247,388 of Solid Waste indirect costs to the General Fund, by raising \$3,060,072 of Solid Waste Receipts and using \$200,000 of Solid Waste Retained Earnings to fund the total costs of the Solid Waste Enterprise Fund as follows:

Solid Waste	Fiscal 2009 Budget	Fiscal 2010 Budget
Salaries	\$443,433	\$482,334
Expenses	\$2,852,600	\$2,480,350
Emergency Reserve	\$100,000	\$50,000
Debt Service	\$30,750	\$ 0.00
Appropriated for Direct Cost	\$3,426,783	\$3,012,684
Indirect Costs	\$379,529	\$247,388
Total Cost Solid Waste	\$3,806,312,	\$3,260,072

PASSED BY MAJORITY

ARTICLE 15 The Town **VOTED** to appropriate \$30,000 and to fund such appropriation transfer \$30,000 from ATM 4/2006, Article 14 Emergency Repairs to Private Ways to be used for grading of dirt roads. Said funds to be expended under the direction of the Superintendent of Public Works and the general supervision of the Board of Public Works.

PASSED BY MAJORITY

ARTICLE 16 The Town **VOTED** to appropriate \$568,081 from funds available to the Town under Massachusetts General Law Chapter 90, Section 34 (2)(a).

PASSED BY MAJORITY

ARTICLE 17 The Town **VOTED** to appropriate \$1,300,000 from funds available to the Town under Massachusetts General Law Chapter 6A, Section 19A and 701 CMR 5.00 et seq.

PASSED BY MAJORITY

ARTICLE 18 The Town **VOTED** to amend the General bylaws by adding the following new bylaw:

ARTICLE EIGHTY-EIGHT

Entry Upon Premises and Removal of Combustible Materials: to be Remedied; Penalty

The head of the fire department or any member to whom the head of the fire department may delegate, may upon complaint of a person having an interest in any building or premises or property adjacent thereto, shall, at any reasonable hour, enter into buildings and upon premises, which term for the purposes of the remainder of this section shall include alleys adjacent thereto, within their jurisdiction and make an investigation as to the existence of conditions likely to cause fire. They shall, in writing, order such conditions to be remedied, and whenever such officers or persons find in any building or upon any premises any accumulation of combustible rubbish including, but not limited to, waste paper, rags, cardboard, string, packing material, sawdust, shavings, sticks, waste leather or rubber, broken boxes or barrels or any other refuse or useable materials that is or may become dangerous as a fire menace or as an obstacle to easy ingress into or egress from such buildings or premises, they shall, in writing, order the same to be removed or such conditions to be remedied. Notice of such order shall be served upon the owner, occupant or his authorized agent by a member of the fire or police department. If said order is not complied with within twenty-four hours, the person making such order, or any person designated by him, may enter into such building or upon such premises and remove such refuse or any useable materials or abate such conditions at the expense of such owner or occupant. Any expense so incurred by or on behalf of the town, shall be a debt due the town, as the case may be, upon completion of such removal or abatement and the rendering of an account therefore to the owner. The provisions of the second paragraph of section three A of chapter one hundred and thirty-nine, relative to liens for such debt and the collection of the claims for such debt, shall apply to any debt referred to in this section, except that the head of the fire department shall act hereunder in place of the board of selectmen. Any such owner or occupant who fails or refuses to comply with said order shall be punished by a fine of \$100 for the first offense, \$200 for the second offense and \$300 for the third and subsequent offenses.

Whoever violates any provision of this bylaw, the violation of which is subject to a specific penalty, may be penalized by the non-criminal method of disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D and Article 2 of the Marshfield General Bylaws.

PASSED BY MAJORITY

ARTICLE 19 The Town ***VOTED*** to amend the General bylaws by adding the following new bylaw:

ARTICLE EIGHTY-NINE

OPEN BURNING

No person shall set, maintain or increase a fire in the open air at any time except by permission, granted by the forest warden/chief of the fire department or his designee. A written record of the granting thereof, setting forth the date upon which permission was granted, the dates covered by such permission, the name and address of the person to whom, and the manner in which, such permission was granted, and any other necessary information relative thereto, shall be made and kept by the forest warden/chief and be at the location where the burning will occur. Persons eighteen years of age or older may, without a permit, set, maintain or increase a reasonable fire for the purpose of cooking, on privately owned land if the fire is enclosed within rocks, metal or other nonflammable material. The forest warden/chief shall make it a condition for granting a permit that any burning shall be in compliance with Massachusetts General Law Chapter 48 Section 13 and may make it a condition for granting such permit that sufficient fire department personnel, to be assigned at the expense of the person seeking such permit, shall be present at such burning to control the fire until it is entirely extinguished. Any permit granted under this section may be revoked at any time. Whoever violates any provision of this section shall be punished by a fine of \$100 for the first offense, \$200 for the second offense and \$300 for the third and subsequent offenses.

Whoever violates any provision of this bylaw, the violation of which is subject to a specific penalty, may be penalized by the non-criminal method of disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D and Article 2 of the Marshfield General Bylaws.

PASSED BY MAJORITY

ARTICLE 20 The Town ***VOTED*** to amend the General bylaws by adding the following new bylaw:

ARTICLE NINETY

Piling Snow on Fire Hydrants and Fire Protection Devices Prohibited; Penalty

No person other than an employee in the service of the commonwealth or the town or in the service of an independent contractor acting for the commonwealth or the town shall pile, push or plow snow or ice on or against any fire hydrant or fire protection device used for fire protection which is located in any public or private way so as to conceal such hydrant or device or cover any outlet thereof. Whoever violates this section shall be punished by a fine of \$300.

Whoever violates any provision of this bylaw, the violation of which is subject to a specific penalty, may be penalized by the non-criminal method of disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D and Article 2 of the Marshfield General Bylaws.

PASSED BY MAJORITY

ARTICLE 21 The Town ***VOTED*** to amend the General bylaws by adding the following new bylaw:

ARTICLE NINETY-ONE

Shut off, Disconnect, Obstruction, Removal or Destruction of a Fire Protection Devices; Permit; Report; Violation; Enforcement

Except as hereinafter provided, no person shall shut off, disconnect, obstruct, remove or destroy, or cause or permit to be shut off, disconnected, obstructed, removed or destroyed, any part of any sprinkler system, water main, hydrant or other device used for fire protection/detection or carbon monoxide detection and alarm in any building owned, leased or occupied by such person or under his control or supervision, without first procuring a written permit so to do from the head of the fire department, which permit such head is hereby authorized to issue subject to such terms and conditions as, in his judgment, protection against fire and the preservation of the public safety may require. This section shall not prevent the temporary shutting off or disconnection or partial removal of such a system, main, hydrant or other device for the purpose of making necessary repairs or preventing freezing or other property damage; provided, however, that the head of the fire department is notified immediately of such emergency action. The head of the fire department shall also be notified when the system, main, hydrant or other device is placed back in service. Violation of this section shall be punished by a fine of \$150 for the first offense and \$300 for the second offense.

Whoever violates any provision of this bylaw, the violation of which is subject to a specific penalty, may be penalized by the non-criminal method of disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D and Article 2 of the Marshfield General Bylaws.

PASSED BY MAJORITY

ARTICLE 22 The Town ***VOTED*** to amend the Marshfield Zoning Bylaw, Article XII Special Regulations, Section 12.02 Site Plan Approval (5), by inserting the word "procedural" into the first sentence. The new section 12.02 (5) would read as follows:

5. In exercising its jurisdiction under this Section, the Board shall conform to all **procedural** requirements applicable to the Board when deciding requests for special permits as set forth in General Laws Chapter 40A, Section 9 and Article X of this Bylaw.

PASSED BY 2/3 VOTE

ARTICLE 23 The Town ***VOTED*** to raise and appropriate the sum of \$15,000 from FY2010 tax levy for the purpose of providing Senior Citizen Real Estate Tax Vouchers for services rendered pursuant to an agreement to be formulated between the Council on Aging and the Board of Selectmen.

PASSED BY MAJORITY

ARTICLE 24

Item 1 - Community Housing - Affordable Housing Coordinator: The Town **VOTED** to act upon the recommendation of the Community Preservation Committee for the fiscal year beginning July 1, 2009, to appropriate \$65,000 from FY2010 Community Preservation Fund revenues established pursuant to Massachusetts General Laws Chapter 44B to fund the compensation of a Housing Coordinator to support and implement the Affordable Housing Plan submitted by the Affordable Housing Partnership.

PASSED BY MAJORITY

Item 2 - Community Housing – Expenses for Conversion: The Town **VOTED** to act upon the recommendation of the Community Preservation Committee for the fiscal year beginning July 1, 2009, to expend \$89,376 of which \$26,828 will be appropriated from the Community Housing Reserve and \$62,548 will be appropriated from the FY2010 Community Preservation Fund revenues established pursuant to Massachusetts General Laws Chapter 44B to fund expenses related to the conversion of existing market rate housing to affordable housing.

PASSED BY MAJORITY

Items 3-7 - The Town **VOTED** to appropriate \$63,774 from FY2010 Community Preservation Fund revenues for Administrative Expenses, reserve \$127,548 from FY2010 Community Preservation Fund revenues for Open Space, reserve \$127,548 from FY2010 Community Preservation Fund revenues for Historic Resources, reserve \$0 from FY2010 Community Preservation Fund revenues for Community Housing and reserve \$829,066 from FY2010 Community Preservation Fund revenues for Budgeted Reserve.

PASSED BY MAJORITY

ARTICLE 25 The Town **VOTED** to transfer \$80,000 from Waterways Improvement Fund and borrow the sum of \$320,000 for the purpose of constructing pier improvements that consist of a new unloading facility and a pier extension with associated floats, said appropriation to include without limitation, all costs thereof and to meet said appropriation the Treasurer with approval of the Board of Selectmen is authorized to borrow the sum of money appropriated hereunder in accordance with MASS General Laws Chapter 44 and said appropriation and borrowing to be conditional on the receipt of a grant in the amount of at least \$320,000 through the Seaport Advisory Council (SAC) Seaport Bond bill.

PASSED BY 2/3 VOTE

ARTICLE 26 The Town **VOTED** to prohibit smoking on all Marshfield public beaches, post this ordinance at beach entrances, and impose a penalty for its violation not exceeding a fine of \$25.00

PASSED BY MAJORITY / YES – 249 NO - 136

ARTICLE 27 The Town **VOTED** to direct the Marshfield Airport Commission to set landing fees at the Town owned Airport after July 1, 2009.

Landing fees and exemptions subject to annual adjustments by the Airport Commission.

Fee schedule:

6,000 to 12,499 lbs. \$1.50 per thousand pounds, rounded off
12,500 lbs. and over \$2.50 per thousand pounds, rounded off.

Military/Government operations are exempt from landing fees. All medical aircraft operations are exempt from landing fees.

All jets regardless of weight or where they are based are subject to the landing fee.

PASSED BY MAJORITY / YES – 77 NO – 74

ARTICLE 28 The Town **PASSED OVER** raising or appropriating or transferring from available funds, the sum of \$3,500 to contract with South Shore Women's Resource Center for domestic violence intervention and prevention services for its residents.

ARTICLE 29 The Town **VOTED** to transfer the sum of \$1,700 from Free Cash for the support of the Clift Rodgers Free Library and YWCA, Marshfield Branch, the sum to be divided equally.

PASSED BY MAJORITY

ARTICLE 30 The Town **PASSED OVER** raising and appropriating the sum of \$5,000 from available funds for the support of the Clift Rodgers Free Library and the, Marshfield Branch YWCA, the sum to be divided equally?

ARTICLE 31 The Town **VOTED** to transfer from Free Cash the total sum of \$2,550 to contract with the following three Non-Profit Organizations (NPOs), as set forth herein, for services to Marshfield residents:

1. South Shore Women's Resource Center, (\$850) for domestic violence intervention and prevention services;
2. Womansplace Crisis Center, (\$850) services for victims of sexual assault; and
3. South Coastal Counties Legal Services, (\$850) for free legal civil matters services (i.e. housing, tenant/landlord) to low income families and their children.

PASSED BY MAJORITY

ARTICLE 32 The Town **VOTED** to renegotiate the contract/lease between the Town of Marshfield and Shoreline Aviation regarding the operations and management of the Town owned Municipal Airport ASAP.

PASSED BY MAJORITY / YES – 87 NO 55

ARTICLE 33 The Town **DEFEATED** reducing the percentage of taxation of the Community Preservation Act from 3% to .5%.

DEFEATED BY MAJORITY

ARTICLE 34 The Town **VOTED** to require the energy committee appointed by the Selectmen to report to the Fall Special Town Meeting relative to their efforts toward the timely construction of wind turbines located in the Town of Marshfield.

PASSED BY MAJORITY

ARTICLE 35 The Town **DEFEATED** raising and appropriating the sum of \$10,000 from Free Cash for construction, renovation, expansion of Ventress Memorial Library by installing a doorway into the adjacent building.

DEFEATED BY MAJORITY / YES – 53 NO 81

ARTICLE 36 The Town **PASSED OVER** amending the Zoning Bylaw Article VII Signs as follows:

1. By inserting the following new paragraph after the first paragraph in section 7.02 (3) that will regulate Temporary Signs.

In any Business, Industrial, Office park, PMUD or Airport Zoning District all Temporary signs shall comply with the following requirements;

- a. Temporary business signs may be authorized by the Building Commissioner, subject to the applicable sign permit application and fees.
- b. Temporary signs shall be authorized by the Building Commissioner subject to the following requirements listed in this section. Temporary signs shall be constructed and erected in accordance

with the requirements of the Building Commissioner. Temporary signs shall be used as a means of advertizing products, services or special events. Temporary sign permits shall have a start and removal date, not to exceed 30 days.

Temporary signs shall not exceed 3 feet in width and 4 feet in height, and shall not exceed 12 square feet per side. Businesses shall not be allowed more than one temporary sign at one time.

- c. All signs shall be located on the same property as the business and shall be located on private property, unless authorized by the Building Commissioner.
- d. A "New Business Opening" temporary sign is allowed for a period not to exceed 30 days, one week prior to opening and three weeks after opening.

2. By amending the Zoning Bylaw Article VII Signs by inserting the following new section 7.04(6) that will regulate window signs.

7.04(6) Window Signs

Signs painted or placed on the inside or outside of the glass of a window or otherwise located in an opening so as to be visible from the exterior shall be permitted in any Business, Industrial, Office park, PMUD or Airport Zoning District, provided that the total aggregate area of the window sign shall not exceed 25 percent of the area of the window glass or of the opening. Signs of this nature shall conform in all respects with Section 7.01, Section 7.02, Section 7.04 and Section 7.05.

3. By amending the Zoning Bylaw Article VII Signs by inserting the following new paragraph after the first paragraph in section 7.04(2) that will regulate signs on large buildings:

7.04(2) In any Business, Industrial, Office Park, PMUD or Airport Zoning District all signs shall comply with the following requirements for large building signs;

If the total area of a building's wall or façade exceeds 400 sq. ft., the surface area of the flush mounted wall sign shall not exceed 100 square feet or 10 percent of the area of the wall or façade, whichever is less.